

Application No.: 10/721,154

Docket No.: JVLA10379

REMARKS

This is a full and timely response to the outstanding nonfinal Office Action mailed Oct. 20, 2005. Reconsideration and allowance of the application and presently pending claims 1-46 as amended are respectfully requested.

Present Status of the Application

The Office Action rejected claims 1-46 under 35 U.S.C. 102 (b) as being anticipated by Ishizuka et al., US Patent No. 6,101,391.

In response thereto, Applicant submit that claims 1, 6-8, 10-13, 18-20, 22-25, 30-32, 36, and 41-43 are amended hereby; and claims 2-5, 9, 14-17, 21, 26- 29, 33-35, 37-40, and 44-46 are canceled. The amended claims are fully supported by the specification.

Discussion of Office Action Rejections

The Office Action rejected claims 1-46 under 35 U.S.C. 102 (b) as being anticipated by Ishizuka et al., US Patent No. 6,101,391.

In response to the rejection to claims 1-46 under 35 U.S.C. 102 (b) as being anticipated by Ishizuka, Applicant has amended claims 1, 6-8, 10-13, 18-20, 22-25, 30-32, 36, and 41-43, and canceled claims 2-5, 9, 14-17, 21, 26- 29, 33-35, 37-40, and 44-46. As such, Applicant

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submits that claims 1, 6-8, 10-13, 18-20, 22-25, 30-32, 36, and 41-43 are now in condition for allowance.

With respect to claim 1, as amended, recites in part:

...wherein when the first cellular phone is operating, the digital cellular phone system process the steps of:
the first cellular phone registering the digital cellular phone system and keeping contact with the base station, the first user ~~belonged to a group~~;
the first [[user]] cellular phone registering an entry notice function to the digital cellular phone system; and
the base station informing the first [[user]] cellular phone when [[a]] the second [[user]] cellular phone ~~belonged to the group~~ registers the digital cellular phone system and keeps contact with the base station[[.]]; informing the second cellular phone to switch to a wireless system for getting in contact with the first cellular phone thereby,
wherein the first cellular phone has an identification function of the base station serving for identifying when the second user registers the wireless system, the identification function comprising inputting a password by the second user and/or identifying a subscriber identity module of the second cellular phone.

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Applicant submits that such a digital cellular phone system as set forth in claim 1 is neither taught, disclosed, nor suggested by Ishizuka '391, or any of the other cited references, taken alone or in combination.

Ishizuka '391 fails to disclose, teach or suggest a step of **“informing the second cellular phone to switch to a wireless system for getting in contact with the first cellular phone thereby”**, and it also fails to disclose, teach or suggest that **“the first cellular phone has an identification function of the base station serving for identifying when the second user registers the wireless system, the identification function comprising inputting a password by the second user and/or identifying a subscriber identity module of the second cellular phone”**, both of which are required for the digital cellular phone system as set forth in claim 1 (emphasis added). Therefore, claim 1 as amended should not be considered as being anticipated by Ishizuka '391 or any of the other cited references, taken alone or in combination.

In a similar manner, claim 13, recites in part:

...wherein when the first cellular phone is operating, the digital cellular phone system process the steps of:

the first cellular phone registering the digital cellular phone system and keeping contact with the base station, the first user ~~belonged to a group~~;
the first ~~[[user]]~~ cellular phone registering an entry notice function to the digital cellular phone system; and

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the base station informing the first [[user]] cellular phone when [[a]] the
second [[user]] cellular phone ~~belonged to the group~~ registers the digital
cellular phone system and keeps contact with the base station~~[[.]]~~;
the first cellular phone being informed that the second user has registered
to the second base station near to the first base station, the second user is
informed to switch to a wireless system for getting in contact with the first
cellular phone thereby,
wherein the first cellular phone has an identification function of the base
station serving for identifying when the second user registers the wireless
system, the identification function comprising inputting a password by the
second user and/or identifying a subscriber identity module of the second
cellular phone.

Ishizuka '391 fails to disclose, teach or suggest a step of “**the first cellular phone being informed that the second user has registered to the second base station near to the first base station, the second user is informed to switch to a wireless system for getting in contact with the first cellular phone thereby**”, and it also fails to disclose, teach or suggest that “**the first cellular phone has an identification function of the base station serving for identifying when the second user registers the wireless system, the identification function comprising inputting a password by the second user and/or identifying a subscriber identity module of the second cellular phone**”, both of which are required for the digital cellular phone system as

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set forth in claim 13 (emphasis added). Therefore, claim 13 as amended should not be considered as being anticipated by Ishizuka '391 or any of the other cited references, taken alone or in combination.

Likewise, claim 25, recites in part:

...the second cellular phone is then informed to switch to a wireless system for getting in contact with the first cellular phone thereby, wherein the first cellular phone has an identification function of the base station serving for identifying when the second user registers the wireless system, the identification function comprising inputting a password by the second user and/or identifying a subscriber identity module of the second cellular phone.

Ishizuka '391 fails to disclose, teach or suggest a limitation of “the second cellular phone is then informed to switch to a wireless system for getting in contact with the first cellular phone thereby, wherein the first cellular phone has an identification function of the base station serving for identifying when the second user registers the wireless system, the identification function comprising inputting a password by the second user and/or identifying a subscriber identity module of the second cellular phone”, which is required for the digital cellular phone system as set forth in claim 25 (emphasis added). Therefore, claim 25

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as amended should not be considered as being anticipated by Ishizuka '391 or any of the other cited references, taken alone or in combination.

Likewise, claim 36, recites in part:

...the second cellular phone is then informed to switch to a wireless system for getting in contact with the first cellular phone thereby, wherein the first cellular phone has an identification function of the base station serving for identifying when the second user registers the wireless system, the identification function comprising inputting a password by the second user and/or identifying a subscriber identity module of the second cellular phone.

Ishizuka '391 fails to disclose, teach or suggest a limitation of **“the second cellular phone is then informed to switch to a wireless system for getting in contact with the first cellular phone thereby, wherein the first cellular phone has an identification function of the base station serving for identifying when the second user registers the wireless system, the identification function comprising inputting a password by the second user and/or identifying a subscriber identity module of the second cellular phone”**, which is required for the digital cellular phone system as set forth in claim 36 (emphasis added). Therefore, claim 36 as amended should not be considered as being anticipated by Ishizuka '391 or any of the other cited references, taken alone or in combination.

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Applicant submits that such a digital cellular phone system as set forth in claim 13 and such a first cellular phone as set forth in claims 25 and 36 are neither taught, disclosed, nor suggested by Ishizuka '391, or any of the other cited references, taken alone or in combination and therefore should be allowed.

Accordingly, claims 1, 13, 25 and 36 are submitted to be novel, unobvious, and patentable over Ishizuka '391, and the rejection should be withdrawn.

If independent claim 1 is allowable over the prior art of record, then its dependent claims 6-8 and 10-12 are allowable as a matter of law, because these dependent claims contain all features of their respective independent claim 1. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

If independent claim 13 is allowable over the prior art of record, then its dependent claims 18-20 and 22-4 are allowable as a matter of law, because these dependent claims contain all features of their respective independent claim 1. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

If independent claim 25 is allowable over the prior art of record, then its dependent claims 30-32 are allowable as a matter of law, because these dependent claims contain all features of their respective independent claim 1. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

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If independent claim 36 is allowable over the prior art of record, then its dependent claims 41-43 are allowable as a matter of law, because these dependent claims contain all features of their respective independent claim 1. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

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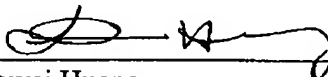
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1, 6-8, 10-13, 18-20, 22-25, 30-32, 36, and 41-43 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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